IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 2198-M of 2007

DATE OF DECISION : 26.02.2007

Tarsem Lal

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

Petitioner Tarsem Lal has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 94 dated 24.6.2006 under Sections 302/308/323/148/149 IPC, registered at Police Station Sultanwind, District Amritsar.

I have heard the arguments of learned counsel for the parties and gone through the contents of the FIR.

As per the prosecution version, the petitioner was member of the unlawful assembly and it was alleged that brick bats were thrown along with other accused. As far as injury caused to the deceased is concerned, the same has been attributed to co-accused Rajinder Kumar and Suraj. The petitioner is in custody since 1.7.2006. Counsel for the petitioner contends that 19 witnesses are to be examined by the prosecution and till date, not even a single witness has been examined. He further contends that co-accused of the petitioner, namely Kuldeep Sharma, against whom there are similar allegations, has been granted bail by this court vide order dated December 22, 2006, passed by this Court in Crl. Misc. No. 74803-M of 2006. These material facts have not been disputed by the State Counsel.

In view of the above, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is accordingly ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

February 26, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**